

EXHIBIT 5

July 1, 2009

Client-Matter: 26512.034

VIA HAND

Andrea C. Levine, Esq.
Vice President and Director
National Advertising Division
Council of Better Business Bureaus
70 West 36th Street
New York, NY 10018

Re: Advertising for Verizon Wireless

Dear Andrea:

We represent AT&T Mobility, LLC ("AT&T"), a leading carrier of wireless voice and data service in the United States and internationally. On behalf of AT&T, we hereby challenge advertising by Cellco Partnership d/b/a Verizon Wireless ("Verizon") that makes false, misleading, and unsubstantiated superiority claims regarding Verizon's wireless network, including its voice network and its 3G data Network. Specifically, Verizon is making the claim that it has the "Most Reliable 3G Network" and the "Best 3G Network," as well as the unqualified claim that it has the "Most Reliable Wireless Network."

Verizon makes these claims in an extensive national advertising campaign, which includes television commercials, print advertisements, billboards, and Internet ads. Representative examples of the false and misleading claims are as follows:

"Most Reliable 3G Network"

- "For coverage where you need it, get America's largest and most reliable 3G Network. Verizon Wireless." (Television)
- "The sleek BlackBerry Storm gets it done on America's Largest and Most Reliable 3G Network." (Print)
- "America's Largest and Most Reliable 3G Network." (Outdoor)

"Best 3G [Data] Network"

- "BlackBerry runs better on America's Best 3G Network." (Print)

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- “Verizon Wireless is committed to offering customers the most reliable service on the nation’s best wireless voice and data network.” (Internet)

“Most Reliable Wireless Network”

- “Switch to America’s Largest and Most Reliable Wireless Network.” (Print)
- “Verizon Wireless is America’s Largest and Most Reliable Wireless Network.” (Internet)
- “Verizon Wireless operates the nation’s most reliable and largest wireless voice and data network.” (Internet)

Copies of the television, print, outdoor, and Internet advertisements are attached hereto as Exhibits 1, 2, 3, and 4, respectively.

I. INTRODUCTION

For the last several years, there has been fierce competition in the market for wireless communication services and products. The number of new wireless customers is decreasing as the market becomes mature. In response, wireless companies are actively attempting to maintain their existing customers and entice competitors’ customers based upon better quality, price, speed, or other value consumers consider to be material to the decision to purchase wireless services. Wireless companies seek to gain advantage over their competitors by, among other things, upgrading network systems and adding features to enable them to make advertising claims about the reliability and dependability of their networks. Recently, the most significant network upgrades undertaken by AT&T, Sprint, and Verizon—the three largest wireless service providers in the country—have been to establish national 3G data Networks.

3G Networks are data networks¹ that incorporate the third generation of standards for wireless networking and enable companies to offer customers a wider range of more advanced services, while achieving greater network capacity. By increasing the speed of data transmission, 3G Networks offer increased bandwidth, which significantly improves customers’ experience when downloading and uploading data to and from their wireless devices. Thus, the primary advantage of 3G Networks over earlier generations of wireless network technology is the enhanced data speed 3G Networks provide. This enhanced speed makes downloading data from the Internet like pictures, music, videos, and other multimedia on wireless devices a more satisfying consumer experience.

¹ Upon information and belief, Verizon’s wireless voice service travels over its 2G Network, while its data service travels over its EV-DO network, generically referred to as a 3G Network.